

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

PAUL O. WILLIAMS, §
§
§ CIVIL ACTION NO. 5:20-CV-00190-RWS-CMC
v. §
§
§
WARDEN, FNU SALMONSON, §

ORDER

Petitioner, Paul O. Williams, an inmate currently confined at FCI Texarkana, proceeding *pro se*, filed this writ of habeas corpus pursuant to 28 U.S.C. § 2241. The Court referred this matter to the Honorable Caroline Craven, United States Magistrate Judge, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommended Williams's voluntary motion to dismiss be granted (Docket No. 4).

The Court has received and considered the Report and Recommendation of the Magistrate Judge filed pursuant to such order, along with the record and the pleadings. Williams acknowledged receipt of the Report and Recommendation on January 14, 2021 (Docket No. 7). No objections have been filed by the parties. Because no objections to the Magistrate Judge's report have been filed, neither party is entitled to *de novo* review by the District Judge of those findings, conclusions and recommendations, and except upon grounds of plain error, they are barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. 28 U.S.C. § 636(b)(1)(C); *Douglass v. United Services Automobile Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

Nonetheless, the Court has reviewed the motion and the Magistrate Judge's report and agrees with the report. See *United States v. Raddatz*, 447 U.S. 667, 683 (1980) ("[T]he statute

permits the district court to give to the magistrate's proposed findings of fact and recommendations 'such weight as [their] merit commands and the sound discretion of the judge warrants.'") (quoting *Mathews v. Weber*, 23 U.S. 261, 275 (1976)). Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge as the findings and conclusions of this Court. William's voluntary motion to dismiss (Docket No. 3) is **GRANTED**, and his petition for writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(a).

So ORDERED and SIGNED this 22nd day of March, 2021.

Robert W Schroeder III
ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE